

ERIC L. WESENBERG (STATE BAR NO. 139696)  
ewesenberg@orrick.com  
ULYSSES S. HUI (STATE BAR NO. 225521)  
uhui@orrick.com  
HAO (HELEN) LI (STATE BAR NO. 247420)  
hli@orrick.com  
ORRICK, HERRINGTON & SUTCLIFFE LLP  
1000 Marsh Road  
Menlo Park, CA 94025  
Telephone: 650-614-7400  
Facsimile: 650-614-7401

M. PATRICIA THAYER (STATE BAR NO. 90818)  
pthayer@orrick.com  
ORRICK, HERRINGTON & SUTCLIFFE LLP  
The Orrick Building  
405 Howard Street  
San Francisco, CA 94105-2669  
Telephone: 415-773-5700  
Facsimile: 415-773-5759

STEPHEN P. MCGRATH (STATE BAR NO. 202696)  
stevemcg@microsoft.com  
MICROSOFT CORPORATION  
One Microsoft Way  
Redmond, WA 98052-6399  
Telephone: 425-882-8080

Attorneys for Defendant  
MICROSOFT CORPORATION

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND DIVISION

BACKWEB TECHNOLOGIES, LTD.,

Plaintiff,

v.

MICROSOFT CORPORATION AND  
SYMANTEC CORPORATION,

Defendants.

Case No. cv 09-1224 CW

**STIPULATION AND ~~PROPOSED~~  
ORDER GRANTING MICROSOFT  
EXTENSION TO SERVE ITS  
INVALIDITY CONTENTIONS AND  
PRODUCE ACCOMPANYING  
DOCUMENTS**

1 WHEREAS, Defendant Symantec Corporation ("Symantec") will serve its  
2 Invalidity Contentions pursuant to Patent Local Rule 3-3 on November 20, 2009; and

3 WHEREAS, Defendant Microsoft Corporation ("Microsoft") wishes to serve its  
4 Invalidity Contentions on the same day as Symantec; and

5 WHEREAS, Plaintiff BackWeb Technologies, Ltd. ("BackWeb") does not object  
6 to Microsoft serving its Invalidity Contentions on November 20, 2009;

7 IT IS HEREBY STIPULATED by and between BackWeb and Microsoft (the  
8 "Parties") through their designated counsel as follows:

9 1. The Parties agree that Microsoft shall have leave to serve its Invalidity  
10 Contentions pursuant to Patent Local Rule 3-3 and produce documents pursuant to Patent Local  
11 Rule 3-4 on November 20, 2009.

12  
13 **IT IS SO STIPULATED.**

14 Dated: November 3, 2009

15 / s / Eric L. Wesenberg / s /  
16 ERIC L. WESENBERG (SBN 139696)  
ewesenberg@orrick.com  
17 ULYSSES S. HUI (SBN 225521)  
uhui@orrick.com  
18 HAO (HELEN) LI (SBN 247420)  
hli@orrick.com  
ORRICK, HERRINGTON & SUTCLIFFE LLP  
19 1000 Marsh Road  
Menlo Park, CA 94025  
20 Telephone: 650-614-7400  
Facsimile: 650-614-7401  
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1 M. PATRICIA THAYER (SBN 90818)  
pthayer@orrick.com  
2 ORRICK, HERRINGTON & SUTCLIFFE LLP  
The Orrick Building  
3 405 Howard Street  
San Francisco, CA 94105-2669  
4 Telephone: 415-773-5700  
Facsimile: 415-773-5759

5  
6 STEPHEN P. MCGRATH (SBN 202696)  
stevemcg@microsoft.com  
MICROSOFT CORPORATION  
7 One Microsoft Way  
Redmond, WA 98052-6399  
8 Telephone: 425-882-8080  
Facsimile: 425-936-7329

9  
10 Attorneys for Defendant  
MICROSOFT CORPORATION

11  
12 /s/ Bruce Wecker /s/  
SPENCER HOSIE (SBN 101777)  
shosie@hosielaw.com  
13 BRUCE WECKER (SBN 078530)  
bwecker@hosielaw.com  
14 GEORGE F. BISHOP (SBN 89205)  
gbishop@hosielaw.com  
15 HOSIE RICE LLP  
188 The Embarcadero, Suite 750  
16 San Francisco, CA 94105  
Telephone: 415-247-6000  
17 Facsimile: 415-247-6001

18 Attorneys for Plaintiff  
19 BACKWEB TECHNOLOGIES, LTD

20  
21 **CERTIFICATION PURSUANT TO GENERAL ORDER 45**

22 Pursuant to General Order 45X.B, I, Eric L. Wesenberg, attests that the above signatories  
23 for the BackWeb Technologies, Ltd. have concurred and consented to the filing of this document.

24 DATED: November 3, 2009

25 /s/ Eric L. Wesenberg /s/  
Eric L. Wesenberg

**ORDER**

PURSUANT TO STIPULATION, IT IS SO ORDERED THAT

Microsoft shall have leave to serve its Invalidity Contentions pursuant to Patent Local Rule 3-3 and produce documents pursuant to Patent Local Rule 3-4 on November 20, 2009.

DATED: 11/4, 2009



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Honorable Claudia Wilken  
U.S. DISTRICT COURT JUDGE